

**Instructions on the stand of the State Government, before the Court of Law, wherein, more than one department is involved, and the procedure for resolution of dispute involving two or more Government Departments OR the State and the Public Sector Undertaking/s.**

**Government of Maharashtra  
Law and Judiciary Department  
Government Circular No.23-2023/VIP/E  
Madam Cama Road, Hutatma Rajguru Chowk,  
Mantralaya, Mumbai- 400032.  
Date: 28/02/2025**

**Read: Circular No.5/VIP/E, dated 30.03.2010**

**Circular :**

In the recent past, it is noticed that very often, conflicting stances are being taken by two Government Departments before the Court of Law. So also, spike is noticed on the litigations between two or more Government Departments OR by the Public Sector Undertaking/s against the State.

2. The Hon'ble Supreme Court, in the case of *Chief Conservator of Forests vs. Collector* reported in **2003 (3) SCC 472**, had expressed that there is a need for the State Government to establish a Committee to resolve controversies that may arise between the Departments of the State or between the State and any of its undertakings. The Hon'ble Supreme Court further observed that it would be appropriate for the State Governments to set up a Committee consisting of the Chief Secretary of the State, Secretaries of the concerned Departments, Secretary of Law, and, where financial commitments are involved, the Secretary of Finance. The decisions made by such a Committee shall be binding on all the concerned Departments and shall represent the stand of the Government.

3. The State had been considering effective measures to curtail such litigations.

4. To address the issue, the State Government hereby reiterates that, in case of dispute/s between two or more State Government Departments, all the Departments involved shall co-ordinate to ensure that no conflicting views are put forth before the Court. In such cases, the Department to which the petition/case is mainly related, shall co-ordinate with the other Department/s and file a consolidated comprehensive affidavit in the matter, stating the stand of the State Government as a whole. In the event of any confusion, the orders/instructions of the Chief Secretary shall be obtained.

5. Further, in pursuance of the observation made by the Hon'ble Supreme Court in the case of *Chief Conservator of Forests vs. Collector (supra)*, all concerned are hereby informed that in the matters of any dispute/s between the State Government Departments **OR** Public Sector Undertaking/s against the State, the following procedure shall be adopted:

Any disputes between two or more State Government Departments or between the State Government and its undertakings or between two Government Undertakings, which could not be resolved amicably, shall be referred to the following Committee-

The Chief Secretary	Chairman
The Additional Chief Secretary/ Principal Secretary/Secretary of the concerned Departments	Member
Principal Secretary & R.L.A., Law and Judiciary Department	Member
The Additional Chief Secretary/Principal Secretary, Finance Department.	Member
Joint/Deputy Secretary of the concerned Administrative Department	Member Secretary

The decision of the Committee shall be final and binding on the departments / Government Undertakings.

6. All the departments to scrupulously follow the above instructions.
7. The aforesaid instructions also be brought to the notice of the offices/undertakings under the administrative control of the respective Department.
8. This Government Circular of Maharashtra Government is available at the website [www.maharashtra.gov.in](http://www.maharashtra.gov.in). Reference no. for this is 202502281727509912. This Circular has been signed digitally.

By order and in the name of the Governor of Maharashtra.

( Sujata Saunik)  
Chief Secretary  
Government of Maharashtra

***Copy for information and necessary action to:-***

1. All Additional Chief Secretaries/Principal Secretaries/ Secretaries Maharashtra State, Mantralaya, Mumbai.
2. The Office of the Ld. Advocate General, Maharashtra State, Mumbai.
3. The Joint Secretary, Law and Judiciary Department 'A' Branch/'E' Branch/'M' Branch/Nagpur/Aurangabad.
4. The Law Officer to the Hon'ble Chief Secretary, Maharashtra State, Mantralaya, Mumbai.
5. The Nodal Officer of all Departments, Mantralaya, Mumbai.
6. The Government Advocate, Supreme Court, State of Maharashtra, New Maharashtra Sadan, Kasturba Gandhi Marg, New Delhi.
7. The Government Pleader, High Court of Judicature at Bombay, Original Side, Mumbai.

8. The Government Pleader, High Court of Judicature at Bombay, Appellate Side (Writ Cell), Mumbai.
9. The Government Pleader, High Court of Judicature at Bombay, Bench at Nagpur.
10. The Government Pleader, High Court of Judicature at Bombay, Bench at Aurangabad.
11. The Chief Presenting Officer, Maharashtra Administrative Tribunal, Mumbai.
12. The Chief Presenting Officer, Maharashtra Administrative Tribunal, Bench at Nagpur.
13. The Chief Presenting Officer, Maharashtra Administrative Tribunal, Bench at Aurangabad.